

R277-750 RECEIVED FINAL APPROVAL BY THE UTAH STATE BOARD OF EDUCATION ON OCTOBER, 2, 2009. THE RULE IS SCHEDULED TO BE PUBLISHED IN THE NOVEMBER 1, 2009 UTAH STATE BULLETIN, SUBJECT TO A 30-DAY COMMENT PERIOD, WITH A FIRST POSSIBLE EFFECTIVE DATE OF DECEMBER 8, 2009.

R277. Education, Administration.

R277-750. Education Programs for Students with Disabilities.

R277-750-1. Definitions.

"Board" means the Utah State Board of Education.

R277-750-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-402(1) which directs the Board to adopt rules regarding ~~[programs for students]~~services for persons with disabilities, Section 53A-15-301 which directs the Board to set standards for state funds appropriated for students with disabilities and Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to specify standards and procedures for special education programs.

R277-750-3. Standards and Procedures.

A. As its rules for programs for students with disabilities, the Board adopts and hereby incorporates by reference~~[-~~Education of the Handicapped Act, 20 U.S.C., Chapter 33, Section 1401 et seq. as amended by Public Law 102-119; and] the Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C., 1400.

B. The Board shall act in accordance with:

(1) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. 794, incorporated by reference in R277-112;

(2) ~~[The State Board of Education]~~R277-750~~[-,""]~~;

(3) State Board of Education Special Education Rules, August 2007; and

(4) The annual Utah State Federal Application under Part B of the Individuals with Disabilities Education Act as amended in 2004.~~[" June, 2000 including the following appendices:~~

~~(a) Appendix A, Utah Specialist Education Law (UCA 53A-15-301-305),~~

~~(b) Appendix B, State Licensor Endorsements: Special Education, School Psychologist, School Social Workers, and Paraeducator qualifications Standards,~~

~~(c) Appendix C, Elementary and Secondary Program of Studies and High School Graduation Requirements,~~

~~(d) Appendix D, Coordination Council for Persons with Disabilities,~~

~~(e) Appendix E, Vocational Rehabilitation Services,~~

~~(f) Appendix F, Selection of Least Restrictive Behavioral Interventions for Use with Students with Disabilities, June, 2001; and~~

~~(3) Utah State Federal Application, as amended, for fiscal years 1993-1995, June 1992, under Part B of the Individuals with~~

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~~Disabilities Education Act, (20 U.S.C., Chapter 33, Section 1412) as amended by Public Law 102-119.]~~

C. Students with disabilities shall be entitled to dual enrollment consistent with Section 53A-11-102.5 and R277-438.

KEY: special education

Date of Enactment or Last Substantive Amendment: [~~December 5, 2001~~]2009

Notice of Continuation: September 6, 2007

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-402(1); 53A-17a-111; 53A-15-301; 53A-1-401(3)